DECLARATION PURSUANT TO 37 C.F.R. 1,175 - USA REISSUE APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a reissue patent is sought on the invention entitled SWALLOWING-ASSISTIVE DRINK; the specification of which was filed on Mar. 13, 2000 as Application Serial No. 09/524,247, and issued on Aug. 21, 2000 as U.S. Patent No. 6,277,395.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I believe that my original U.S. Patent No. 6,277,395 is wholly or partially inoperative or invalid by reason of the patentee claiming more or less than the patentee had a right to claim in the patent. Specifically, the claims, as originally issued, did not specifically claim a product that is in prepared form, uncombined with a medicine, or a method wherein the swallowing-assistive material is combined with a medicine and the combination is swallowed immediately after the combining step. This error is remedied in the present reissue application by the addition of Claims 15, 17, 19, and 20 to methods for taking a medicine and Claims 21 and 23 to swallowing assistive materials, which claims specifically include the desired limitations. In addition, the specification and claims replace the unconventional term "jelly strength" with the more idiomatic term "gel strength."

All errors which are being corrected in the present reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of the applicant;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Atsuko Fukui
Inventor's signature <u>atsuko Fukui</u>
Date 11 / 8 / 2003
Residence: 3-17-12 Misora, Yotsukaido-city, Chiba, Japan

Page 2	Attorney's Docket No. RYUK.001RE
Citizenship: <u>Japaw</u>	
Post Office Address: 2-4-8, Higashi Kanda, Chiyo	da-ku, Tokyo, Japan
Full name of Second inventor: Masanori Nakajima	
Inventor's signature masanorii Robajimis	
Date 11/8/2003	
Residence: 4-8-406,4-chome. Masago, Mihama	ku chiba-City.chiba .Japan
Citizenship: Japan	
Post Office Address: 2-4-8. Higashi Kanda, Chiyodu-	-ku, Tokyo-Japan
Full name of third inventor: Takashi Kamijima	
Inventor's signature Takashi Kamijima	·
Date august 11, 2003	·
Residence: 4100 Misuzu, Ima-shi, Nag	ana
Citizenship:	·
Post Office Address: 396-0111	
Full name of fourth inventor: Mika Ohta	Tokyo, Japan
Inventor's signature <u>mika Ohta</u>	·
Date <u>August 11, 2003</u>	
Residence: 679/-/ Miyada Kamiina-9	un Nagano.
Citizenship: Japan	·
Post Office Address: 399-480/	2-4-8, Higashi kanda, Chiyoda-ku,
,	. Tokyo, Japan

Send Correspondence To: KNOBBE, MARTENS, OLSON & BEAR, LLP Customer No. 20,995 Page 3

Attorney's Docket No. RYUK.001RE

FOR-69 H:\DOC\$\CMF\CMF-1338.DOC 072503 RYUK.001RE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Atsuko Fukui Masanori Nakajima,

Takashi Kamijima, Mika Ohta

Assignee : Ryukakusan Co. Ltd.

Reissue of Patent: 6277,395

Issued: August 21, 2001

For : SWALLOWING-ASSISTIVE DRINK

Examiner : Unknown

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION AND REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir.

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). The original assignment is recorded at Reel 010820 and Frame 0876. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Tel phone (949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this

Reissue of Patent No.

6,277,395

Issued

August 21, 2001

application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use Customer No. 20,995 for all communications.

Dated: /2/8/2003

RYUKAKUSAN CO. LTD

By: Ryuta FUJII

Title: President

Address:

4-8, 2-Chome Higashi-Kanda,

Chiyoda-ku, TOKYO, JAPAN

H:\DOCS\CMP\CMF-1355.DOC 080803 RYUK.001RE PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Atsuko Fukui, Masanori Nakajima,

Takashi Kamijima, Mika Ohta

Assignee : Ryukakusan Co. Ltd.

Reissue of Patent: 6,277,395

Issued : Aug. 21, 2001

For : SWALLOWING-ASSISTIVE

DRINK

ASSENT OF ASSIGNEE TO REISSUE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee, ("Assignee").

In accordance with 37 CFR 3.37(b), Assignee represents that it is the assignee of the entire right, title and interest in the above-identified letters patent by virtue of an assignment from the inventor of said letters patent. The assignment was recorded in the U.S. Patent and Trademark Office at Reel 010820, Frame 0876. A copy of the assignment is attached.

The undersigned has reviewed all the documents in the chain of title of the letters patent identified above, and to the best of the undersigned's knowledge and belief, title is in the Assignee.

Assignee hereby assents to the accompanying application for reissue of the above-identified letters patent.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or patent issuing therefrom.

Assignee

Ryukakusan Co. Ltd.

Reissu of Patent:

6,277,395

Name of Assignee: Ryukakusan Co. Ltd.

Declarant's Signature: _

Declarant's Name: Ryutol TUJI

Declarant's Title: / > Esi deut.

Dated: /2 / } / 2 = c 3

AMEND HADOCSVCMPVCMP-1339.DOC 072703

U.S. Department of Comm FORM PTO-1619A Expires 06/30/99 OMB 0651-0027 Petent and Trademark Office **PATENT** RECORDATION FORM COVER SHEET PATENTS ONLY TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies). Submission Type Conveyance Type x New **Assignment Security Agreement** Resubmission (Non-Recordation) License Change of Name Document ID# Correction of PTO Error Other Merger Reel # Frame # U.S. Government (For Use ONLY by U.S. Government Agencies) Corrective Document Reel # Frame # Departmental File Secret File Conveying Party(ies) Mark if additional names of conveying parties attached Execution Date

Month Day Year Name (line 1) [FUKUI, ATSUKO 030800 Name (line 2) Execution Date Month Day Year Second Party Name (line 1) KAMIJIMA, TAKASHI 031000 Nam (line 2) Receiving Party Mark if additional names of receiving parties attached If document to be recorded Name (line 1) RYUKAKUSAN CO. LTD is an assignment and the receiving party is not domiciled in the United Name (line 2) States, an appointment of a domestic Address (line 1) representative is attached. 5-12, 2 CHOME HIGASHI-KANDA (Designation must be a separate document from Address (line 2) Assignment) Address (line 3) CHIYODA-KU TOKYO, **JAPAN** City State/Country **Domestic Representative Name and Address** Enter for the first Receiving Party only. Name Address (line 1) Address (line 2) Address (line 3) Address (line 4) FOR OFFICE USE ONLY

ADDITIONAL NAMES FOR

RECORDATION FORM COVER SHEET PATENTS ONLY

FORM PTO-1619A

Conveying Parties

Third Party

Name

NAKAJIMA MASANORI

Execution Date

030800

Fourth Party

Name OHTA, MIKA

031000

PTC/SB/15 (8-96)

Approved for use through 9/30/98," OMB 0651-0027

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Docket Number (Optional) ASSIGNMENT OF APPLICATION MOTAB-001US 4-8-406, Masago 4-Chome, Mihama-Ku Masanori NAKAJIMA of Chiba-Shi, Chiba Pref., Japan , hereafter Whereas, I. (Address) referred to as applicant, have invented certain new and useful improvements in _____ A SWALLOWING-ASSISTIVE DRINK for which an application for a United States Patent was filed on ______, for which an application for a United States Patent was executed on _____, and Whereas, ____ ____ herein referred to 5-12, 2-chome Higashi-Kanda "assignee" whose post office address is __ Chiyoda-ku, Tokyo, JAPAN sirous of acquiring the entire right, title and interest in the same; Now, therefore, in consideration of the sum of ______ dollars (\$______), the receipt whereof is acknowledged, and other good and valuable consideration, I, the applicant, by these presents do sell, assign and transfer unto said assignee the full and exclusive right to the said invention in the United States and the entire right, title and interest in and to any and all Patents which may be granted therefor in the United States, I hereby authorize and request the Commissioner of Patents and Trademarks to issue said United States Patent to said assignee, of the entire right, title, and interest in and to the same, for his sole use and behoof; and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made. Executed this 8th day of March at Tokyo, Japan nusunori SS: State of County of _ Before me personally appeared said _ and acknowledged the foregoing instrument to be his free act and deed this ____ day of ___

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231.

(Notary Public)

Approved for use through 9/30/98. OMB 0651-0027

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Docket Number (Optional) ASSIGNMENT OF APPLICATION MOTAB-001US 4100, Misuzu, Ina-Shi, Takashi KAMIJIMA of Nagano Pref., Japan , hereafter Whereas, I. Address) referred to as applicant, have invented certain new and useful improvements in _____ A SWALLOWING-ASSISTIVE DRINK for which an application for a United States Patent was filed on ______, Application Number _____/____. for which an application for a United States Patent was executed on ______, and RYUKAKUSAN Co. Ltd ____ herein referred to 5-12, 2-chome Higashi-Kanda Chiyoda-ku, Tokyo, JAPAN "assignee" whose post office address is ___ sirous of acquiring the entire right, title and interest in the same; Now, therefore, in consideration of the sum of ______ dollars (\$______), the receipt whereof is acknowledged, and other good and valuable consideration, I, the applicant, by these presents do sell, assign and transfer unto said assignee the full and exclusive right to the said invention in the United States and the entire right, title and interest in and to any and all Patents which may be granted therefor in the United States, I hereby authorize and request the Commissioner of Patents and Trademarks to issue said United States Patent to said assignee, of the entire right, title, and interest in and to the same, for his sole use and behoof; and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made. Executed this 10th day of March at Tokyo, Japan State of _ County of _ Before me personally appeared said _

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231.

(Notary Public)

and acknowledged the foregoing instrument to be his free act and deed this ____

day of

Seal

PTO/SB/15 (8-96)

Approved for us through 9/30/98. OMB 0651-0027

Patent and Trademark Offic; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

ASSIGNMENT OF APPLICATION			Docket Number (Optional) MOTAB-001US		
					
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Whereas,	RYUKAKUSAN Co. Ltd	5-12, 2-chome Higashi-Kan	herein referred t		
"assignee" wh	nose post office address is _		is de		
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sirous of acq	uiring the entire right, title an	d interest in the same;			
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knowledged	and other good and valuable	e consideration, I, the applicant, by the	nese presents do sella essig		
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and transfer u	ınto said assignee the full ar	id exclusive right to the said invention	n in the United States and th		
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been made.					
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PTO/SB/15 (8-96)
Approved for use through 9/30/98. OMB 0651-0027
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
for the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

ASSIGNMENT OF APPLICATION Docket Number (Optional) MOTAB-001US

				6791-1, M	Miyada	-Mura,	Kamiina-	-Gun,
Whereas, I,	Mika OHTA		of	Nagano Pr	ef.,			, hereafter
(Address) referred to as applicant, have invented certain new and useful improvements in								
	A SWALLOWIN	G-ASSISTIV	E DRINK	<u> </u>				
Applic	ich an application ation Number ich an applicatio	/			.•			
Whereas,	RYUKAKUSAN	Co. Ltd.					here	in referred to
"assignee" wh	ose post office ac	5- Idress is <u>Cl</u>	-12, 2- niyoda-	chome Higa ku, Tokyo	ashi-1 , JAP	Kanda AN		is de-
sirous of acqu	iring the entire ri	ght, title and ir	iterest in	the same;				
Now, therefore	e, in consideratio	n of the sum o	f	dollars (\$	S), the	e receipt w	hereof is ac-
knowledged, a	and other good a	nd valuable co	nsiderati	on, I, the app	licant, t	y these p	resents do	sell, assign
and transfer u	nto said assignee	the full and e	xclusive	right to the sa	id inve	ntion in the	e United S	tates and the
entire right, title	e and interest in a	and to any and	all Paten	its which may	be gra	nted there	for in the L	Inited States,
I hereby author	orize and request	the Commiss	ioner of	Patents and 1	Tradem	arks to is	sue said L	Inited States
Patent to said	assignee, of the	entire right, titl	e, and in	terest in and t	o the s	ame, for h	is sole use	and behoof;
and for the use	e and behoof of h	is legal repres	entatives	s, to the full er	nd of th	e term for	which said	d Patent may
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Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any ots on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, gton, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, gton, DC 20231.

PATENT

Docket No.: RYUK.001RE

Date: August 11, 2003

REISSUE APPLICATION BY THE INVENTOR, OFFER TO SURRENDER (37 CFR 1.178)

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

The undersigned applicant of the accompanying application for the reissue of letters patent for the improvement in SWALLOWING-ASSISTIVE DRINK, U.S. Patent No. 6,277,395, issued on Aug. 21, 2001, of which Ryukakusan Co. Ltd. is the sole owner by assignment, and on whose behalf and with whose assent this accompanying application is made, hereby offers to surrender said letter patent.

HADOCS\CMP\CMP-1347.DOC